

# Improving the Permitting Process for Petroleum Infrastructure

## Pipeline Safety Workshop Spring 2007 Office of State Fire Marshall

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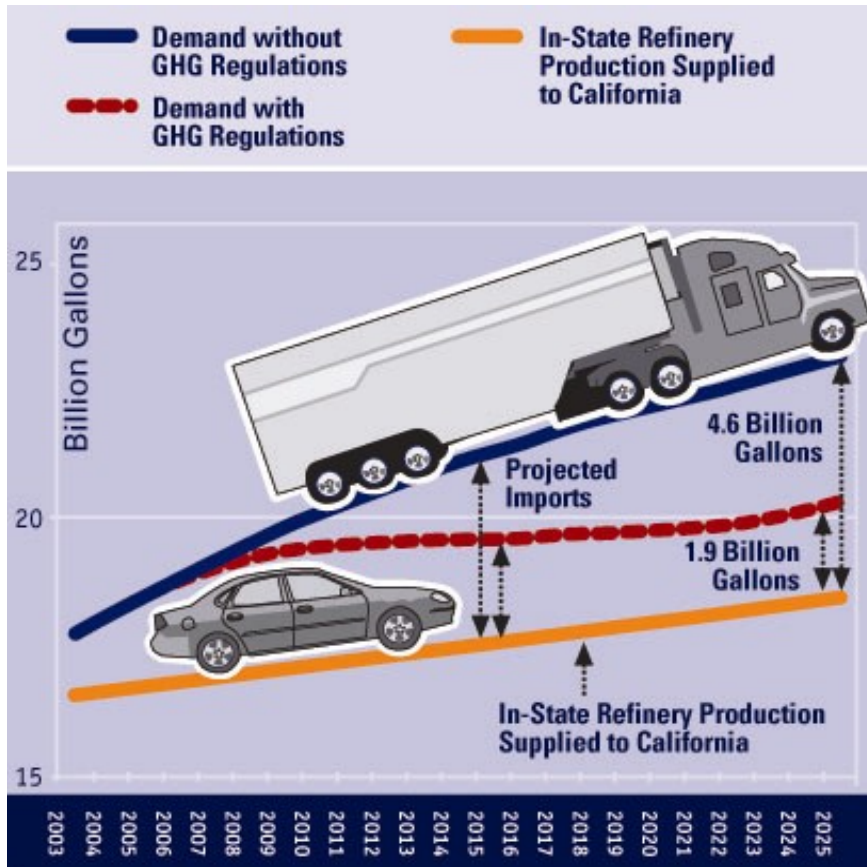


# Overview

- Concerns & why we care
- Regulatory framework
- What we are hearing & suggestions for permitting process improvements



# Concerns



- Growing demand for petroleum fuel products
- CA's primary fuels for foreseeable future
  - Even with expanded use of renewables

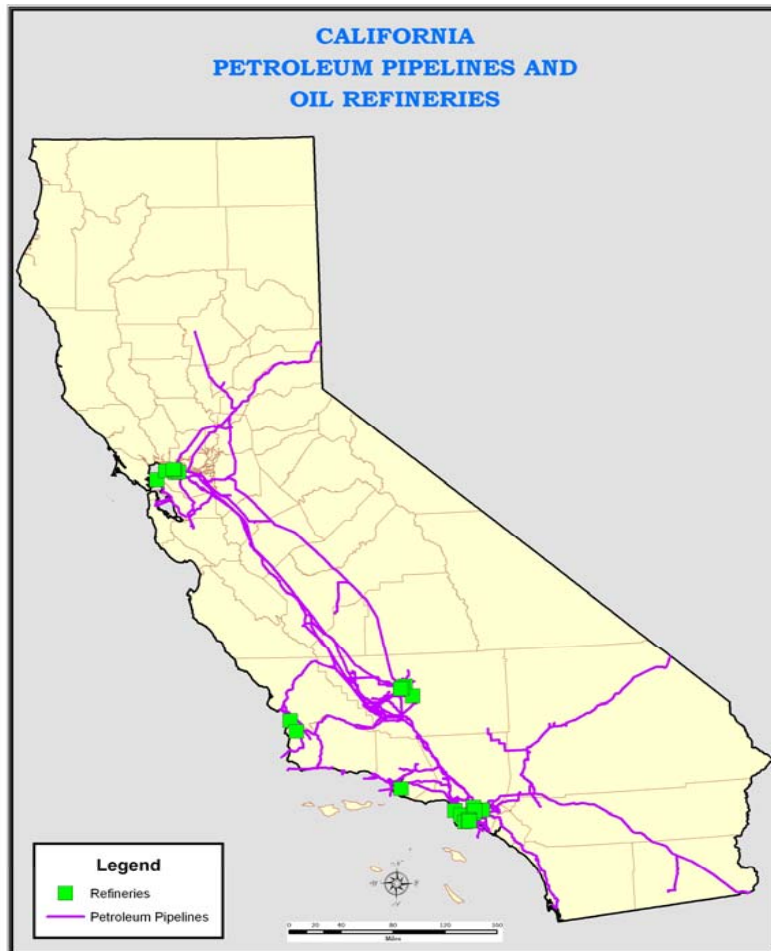


# Concerns

- CA needs reliable & safe supply of fuels
- Constraints lead to higher costs
- Need robust, environmentally & technologically sound infrastructure



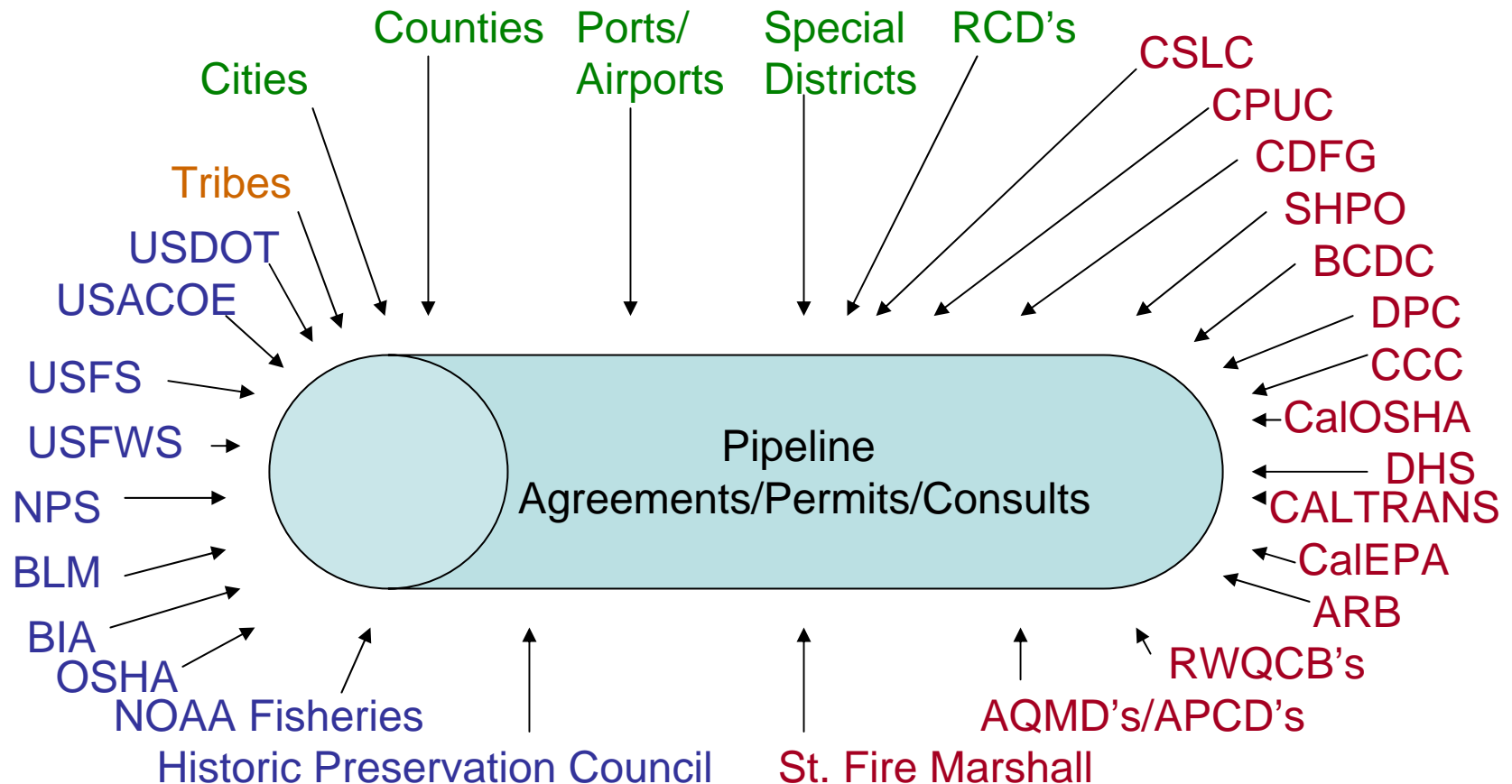
# 556,000 Miles of Petroleum Pipelines



- Cross 228 cities & 31 counties
- Ongoing maintenance, repairs & replacements
- Future expansions for all fuels, including clean fuels
- Federal plans for energy transmission corridors
- Continuing need for permits



# Onshore Petroleum Pipeline Regulatory Framework



Key:

Federal Agencies, Tribal Governments, Local Jurisdictions, State Agencies



# Permitting Could Involve Any Of:

- 25 State/Federal Agencies
- 58 counties
- 478 cities
- 2,300 special districts
- 107 sovereign Native American nations



# A Single Pipeline Could Require:

30 to 50 non-emergency:

- Permits
- Consultations
- Approvals
- Agreements/Leases
- Certifications...

...Depending on jurisdictions crossed



# Permits

Federal/Tribes	State/Regional	Local
<ul style="list-style-type: none"><li>•Army Corps</li><li>•Bureau of Land Management</li><li>•National Park Service</li><li>•Fish &amp; Wildlife Service</li><li>•Tribes</li></ul>	<ul style="list-style-type: none"><li>•Caltrans</li><li>•Regional Water Boards</li><li>•Coastal Commission</li><li>•Bay Conservation Dev. Commission</li><li>•Air Quality Man. Districts</li></ul>	<ul style="list-style-type: none"><li>•Cities</li><li>•Counties</li><li>•Ports</li><li>•Airports</li><li>•Special Districts</li></ul>



# Consultations

Federal/Tribes	State/Regional	Local
<ul style="list-style-type: none"><li>•NOAA Fisheries</li><li>•Advisory Council on Hist. Preserv.</li><li>•Tribal Monitors</li><li>•Fish &amp; Wildlife Service</li><li>•Bureau of Indian Affairs</li></ul>	<ul style="list-style-type: none"><li>•Historic Preservation Officer</li><li>•Air Resources Board</li><li>•Dept. of Fish &amp; Game</li></ul>	<ul style="list-style-type: none"><li>•Resource Conservation Districts</li></ul>



# Leases/Agreements/Approvals

Federal/Tribes	State/Regional	Local
<ul style="list-style-type: none"><li>•Bureau of Indian Affairs</li><li>•Forest Service</li></ul>	<ul style="list-style-type: none"><li>•Dept. of Fish &amp; Game</li><li>•Fire Marshall – Office of Pipeline Safety</li><li>•Public Utilities Commission</li><li>•Lands Commission</li></ul>	<ul style="list-style-type: none"><li>•Cities</li><li>•Counties</li><li>•Notification Centers</li></ul>

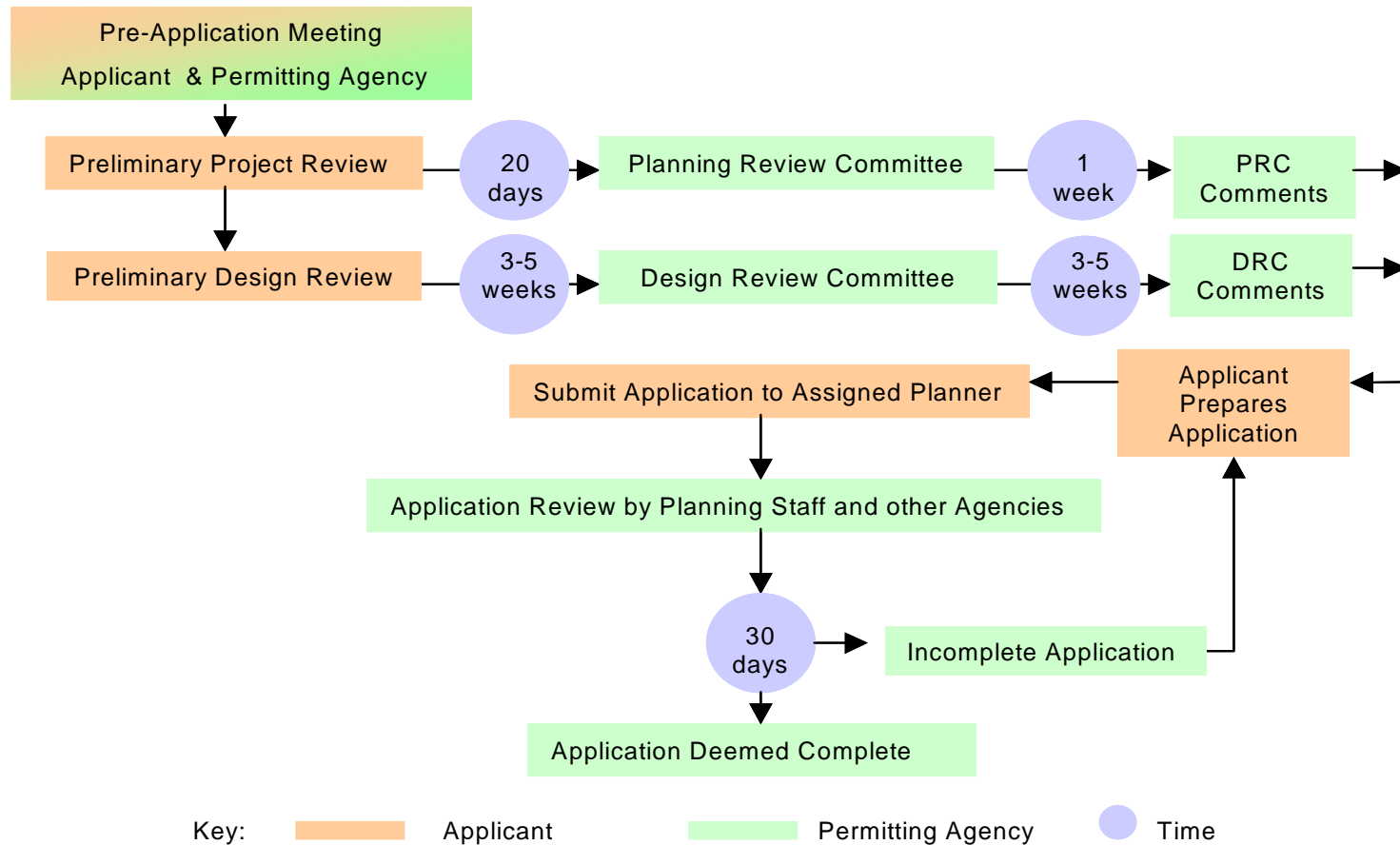


# Certifications/Decisions/Determinations

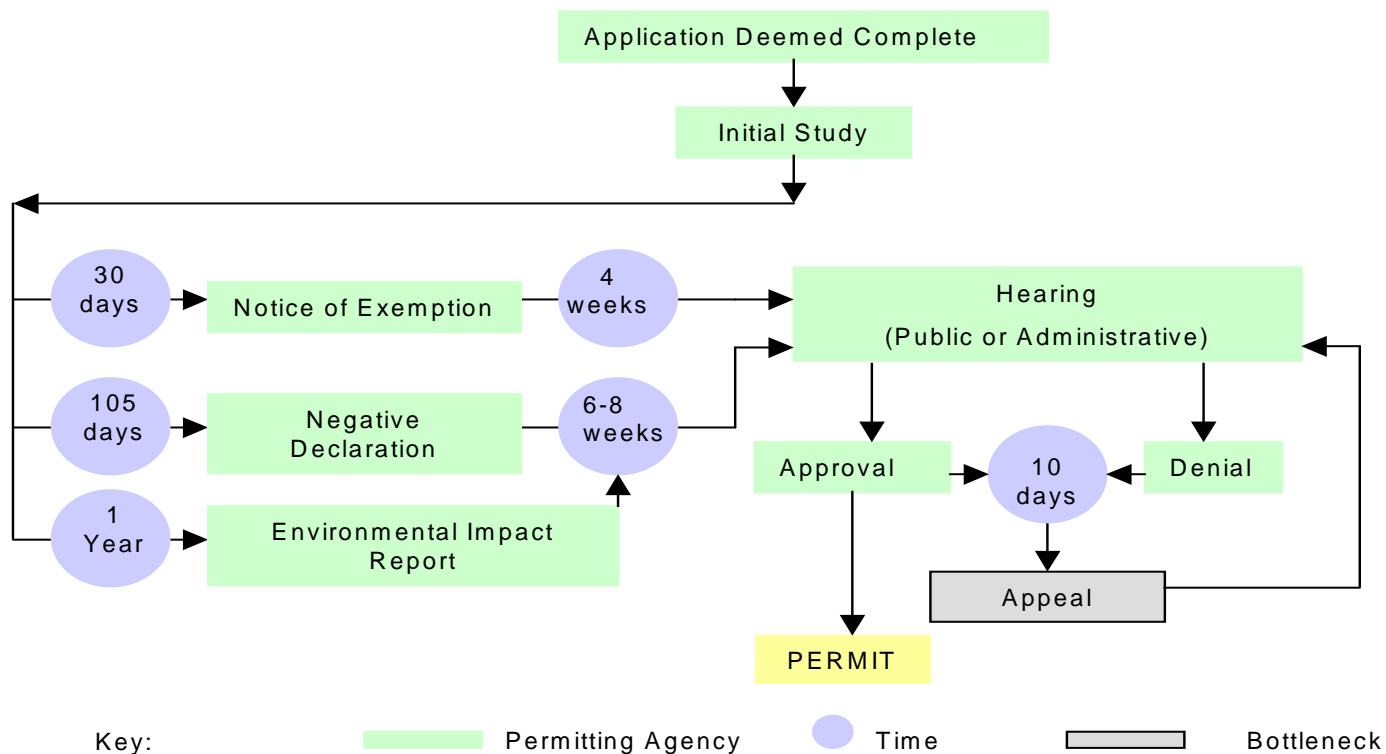
Federal/Tribes	State/Regional	Local
<ul style="list-style-type: none"><li>•Lead NEPA Agencies</li></ul>	<ul style="list-style-type: none"><li>•Lead CEQA Agencies</li><li>•Coastal Commission</li><li>•Bay Conservation Dev. Commission</li><li>•Lands Commission</li><li>•Regional Water Boards</li></ul>	<ul style="list-style-type: none"><li>•Lead CEQA Agencies</li></ul>



# Typical Permitting Process Completing Application



# Typical Permitting Process Post-Application



# Typical Permitting Timeframes

- Non-emergency, exempt from CEQA
  - About 6 months
- EIR required:
  - 1.5 to ? Years
    - Dependent on complexity, location, number of required permits and level of controversy



# Agencies Are Telling Us...

## Reasons for permitting delays:

- Incomplete applications
- Disagreement on applicability of laws
- Lack of coordination among agencies
  - Redundant, multiple information requests
- Untrained/inexperienced staff



# Reasons for permitting delays: (continued)

- Consultation delays
  - Sometimes can't identify “who's in charge” at an agency
- Inconsistent “decisions” by same agency
- Community concerns draw out CEQA process
- No information on statewide importance of projects



# Possible Tools for...



...Improving Permitting



# Possible Tools...

- Federal DOT Repair Streamlining Process
- Pre-application meetings
- Agency partnering
- Coordinated agency reviews
- Joint agency working groups
- Staff trainings
- Staff hiring requirements



# ...Possible Tools

- Clear identification of/ accessibility to staff
  - Projects assigned to staff teams
- Project timelines/milestones
- Expedited reviews
  - usually requires more \$
- Clear criteria for decisions
- Publish agency “precedents”



# California Energy Commission

<http://www.energy.state.ca.us>

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